



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO.227 OF 2025
IN
CRIMINAL APPEAL NO.60 OF 2025

Sheikh Mohammad @ Hajaifa s/o Sheikh Firoj Mohammad
Vs.

State of Maharashtra, through Police Station Officer, Lakadganj, Nagpur
and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. K. Bhangde, Counsel for the applicant.
Ms. S. V. Kolhe, APP for the respondent No.1/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 03/03/2025

1. By this application, the applicant is seeking suspension of sentence and releasing him on bail.

2. Heard learned Counsel for the applicant and learned APP for the State. The appellant is convicted for the offence punishable under Section 8 of the Protection of Children from Sexual Offences Act and sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs. 10,000/-, in default to suffer further rigorous imprisonment for six months.

3. Learned Counsel for the applicant submitted that punishment is of a limited period. He has also pointed out from the impudent judgment

that he has many arguable points in the present appeal. The appeal would take its own time for its final disposal. In the meantime, if the sentence is executed the appeal would become infructuous.

4. After hearing both sides and on perusal of the impugned judgment it reveals that the punishment is of a limited period. He has also pointed out that he has many arguable points. Admittedly, the appeal would take its own time for its final disposal. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) The execution of the sentence passed in Special Criminal (Child) Case No.75/2022 is hereby suspended till disposal of the appeal.
- (iii) The applicant shall be released on bail on executing PR Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

The application is disposed of.

CRIMINAL APPEAL NO.60 OF 2025

- 1. Heard.
- 2. **Admit.**
- 3. Learned APP waives notice for the State.
- 4. Call for record and proceedings.

5. Issue notice to the respondent No.2 – victim.
6. Respondent No.2 - victim be intimated through Police Station Officer, Police Station Lakadganj, Nagpur.
7. Appeal be listed for final disposal after preparation of the paper book.

(URMILA JOSHI-PHALKE, J.)